

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ALAINA SPILKEVITZ, :  
Plaintiff, :  
v. : 08 CV 3407 (SJF) (ETB)  
CHASE INVESTMENT SERVICES CORP., :  
LAWRENCE MCGOVERN, RICHARD :  
EISEMAN, and ROBERT V. GARRETT, : **ECF CASE**  
Defendants. : **DEFENDANTS' PROPOSED**  
 : **VOIR DIRE QUESTIONS**  
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Pursuant to Section 6(B) of this Court's Individual Practices, Defendants Chase Investment Services Corp., Lawrence McGovern, Richard Eiseman and Robert V. Garrett respectfully submit the following proposed voir dire questions.

**I. Knowledge Of Parties, Counsel And Potential Witnesses**

- a. Are you acquainted in any way with Plaintiff Alaina Spilkevitz or her family or friends? If so, please describe the nature and extent of your relationship.
- b. Do you know or have you ever had any dealings with Defendants' attorneys, Robert S. Whitman or Lauren Breitman Tanen, or their law firm, Seyfarth Shaw LLP, or with attorney Reid Broda of JPMorgan Chase? If so, please describe the nature and extent of those contacts.
- c. Do you know or have you ever had any dealings with Plaintiff's attorneys, Steven Morelli or Eric Tilton, or their law firm, The Law Office of Steven Morelli, or the firm Leeds, Morelli & Brown in Carle Place? If so, please describe the nature and extent of those contacts.
- d. Do you know anyone on the jury panel? If so, please describe the nature and extent of those contacts.
- e. Do you know anyone else in the courtroom? If so, please describe the nature and extent of those contacts.

- f. Does anyone know any of the following individuals: Lawrence ("Larry") McGovern, Richard ("Rick") Eiseman or Robert ("Bob") Garrett, Michael Rodenburg, Daniel Deegan, Miriam De La Cruz, Joseph DiFusco, Peter Santulli, Douglas Thompson, Jennifer Watts, Fred Ansman, Lupita Purcell, Michael DePaolo, Adam Engelhardt, or Brian Spilkevitz?
- g. Does anyone know any of the following individuals, who may be referenced as customers of CISC, who may or may not be witnesses: Irene or Samantha Rosen, Margaret Lindner, Egidio or Luanne Di Pietro, Marie or Paul Gange, Nicholas Rodelli, or Linda Lee Hendrickson?
- h. This case involves a former employee of CISC who claims that she was discriminated against on account of her gender and pregnancy. Is there anything about such a lawsuit that would affect your ability to judge the facts impartially in this case?

**II. Educational and Employment History**

- a. Do you believe you, your spouse, any member of your immediate family or any close friend were ever treated or disciplined unfairly by an employer? If so, please describe.
- b. Have you, your spouse, or any member of your immediate family or close friend ever held any personnel or human resources job? If so, please state the position or positions held and describe your duties performed.
- c. Have you ever been a supervisor or a member of management at any place of employment? And, had the authority to make the decision to discipline, discharge, hire, promote or demote any person whom you supervised? If so, please state when, for what employer, for how long, and in what position, and how many people you supervised.
- d. Does the fact that this case involves claims of discrimination and retaliation cause you to feel one way or another about the Plaintiff or the Defendants?
- e. Have you, or any member of your immediate family or any close friend ever felt that they have been discriminated or retaliated against on the job? If so, please describe the circumstances.
- f. Have you, any member of your immediate family or any close friend ever been accused of discriminating or retaliating against another individual on the job? If so, please describe the circumstances.
- g. Have you, any member of your immediate family or any close friend ever been named as an individual defendant in a lawsuit? If so, please explain the nature of that lawsuit?

**III. Corporations**

- a. Do you have any formal training in business or finance?
- b. Do you feel any bias or prejudice against investment firms, or against JPMorgan Chase in particular, because of the financial crisis of 2008-09 or because of the government assistance to such firms?
- c. Do you have any type of negative opinion of the financial institution where you do most of your banking or manage your investments?
- d. Have you, or has any member of your family or a close friend, ever worked for CISC, JPMorgan Chase Bank, JPMorgan & Co., the Chase Manhattan Bank, Chemical Bank, Manufacturers Hanover Trust Company or Bank One? If yes, please describe and describe any opinions expressed by that person.
- e. Have you, or has any family member of your family or a close friend, ever worked for any other bank or financial institution? If yes, please describe.
- f. Have you, or has any member of your family or a close friend, ever owned stock in JPMorgan Chase & Co., JPMorgan & Co., the Chase Manhattan Bank, Chemical Bank, Manufacturers Hanover Trust Company or Bank One or any other financial institution or bank? If yes, how have you done and how do you feel about owning such stock?
- g. Do you have any opinion about the reputation of JPMorgan Chase Bank, the former JPMorgan & Co., the former Chase Manhattan Bank, the former Chemical Bank, the former Manufacturers Hanover Trust Company, or Bank One, or how they treat their employees? If yes, what is it?
- h. JPMorgan Chase Bank is a banking corporation. As such, it may have greater economic resources than Plaintiff. The relative economic resources of Plaintiff and Defendants are of no relevance whatsoever to the issues in this case, and this factor must not be allowed to enter into your decision-making. Do any of you feel you cannot judge the evidence with complete indifference to the relative size and financial capabilities of the parties?

**IV. Litigation History**

- a. Have you, a family member, or any close friend ever been personally involved in a lawsuit, either as a party, witness or otherwise? If so, please describe the nature of the litigation and your association with it, including the type of case, whether you or the other persons identified were a plaintiff or defendant, and the outcome of the case. In general, what were your feelings about the experience? Did you believe the result was fair or unfair and why?

- b. Have you, a family member, or any close friend ever filed a lawsuit or formal charge of discrimination or retaliation involving employment? If so, please describe the nature of the lawsuit or charge.

**V. Personal Habits**

- a. What do you do in your spare time?
- b. Do you read newspapers? Which ones?
- c. Do you read magazines or books? Which magazines or books have you read recently? Do you read any online publications or websites regularly? Which ones?
- d. What clubs, organizations, or groups do you belong to?
- e. Do you follow the financial news? Closely? Sometimes or rarely?

Dated: New York, New York  
December 2, 2009

Respectfully submitted,

SEYFARTH SHAW LLP

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*Attorneys for Defendants*